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6 Attorneys for Defendants
JOHN BARGETTO and
7 BARGETTO'S SANTA CRUZ WINERY

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION
11

12 MARILYN CHURCHILL, an individual,
13 Plaintiff,

14 v.

15 JOHN BARGETTO, in his individual and
official capacities; BARGETTO'S SANTA
16 CRUZ WINERY, a California Corporation;
and DOES 1 through 100, inclusive,
17 Defendants.
18

CASE NO. C07-03007 MMC

**STIPULATION TO CONTINUE
MEDIATION DEADLINE AND
[PROPOSED] ORDER**

Honorable Maxine M. Chesney

19 Counsel for Plaintiff MARILYN CHURCHILL and Defendants JOHN BARGETTO and
20 BARGETTO'S SANTA CRUZ WINERY (hereinafter collectively referred to as the "Parties")
21 hereby STIPULATE as follows:

- 22 1. There is currently pending discovery that must be completed prior to a meaningful
23 mediation;
- 24 2. Trial in this matter is scheduled for February 23, 2008;
- 25 3. The non-expert discovery cutoff is September 12, 2008;
- 26 4. The Parties agree that, in order for the Parties to participate in meaningful mediation,
27 the mediation should take place after the cutoff for non-expert discovery;
- 28 5. The current deadline to complete the mediation session is July 31, 2008;

6. The current deadline will not allow for the completion of the necessary discovery;

7. Counsel agree that the current deadline of July 31, 2008 to complete mediation should be extended to November 30, 2008, in light of the need to conduct additional discovery;

8. Counsel have tentatively selected October 14, 2008 as their proposed mediation date, but they must still confirm the parties' availability. Should the parties be unavailable on that date, the mediation shall proceed as soon thereafter as the schedules of the mediator and parties permit;

9. The Parties agree to submit their respective mediation memoranda to the mediator no later than the close of business ten (10) business days before the date of the mediation.

IT IS SO STIPULATED.

Dated: July 15, 2008

THE MORALES LAW FIRM

By: /s/ David Morales
DAVID MORALES
Attorneys for Plaintiff

Dated: July 15, 2008

TINGLEY PIONTKOWSKI LLP

By: /s/ Jonathan A. McMahon
JONATHAN A. MCMAHON
Attorneys for Defendants

I HEREBY CONSENT TO THE ABOVE STIPULATION.

Dated: July 15, 2008

FENWICK & WEST

By: /s/ William Fenwick
WILLIAM FENWICK
Mediator

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1 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
2 "conformed" signature (/s/) within this e-filed document.

3 Dated: July 16, 2008

TINGLEY PIONTKOWSKI LLP

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5 By: /s/ Jonathan A. McMahon
6 JONATHAN A. MCMAHON
7 Attorneys for Defendants

8 **[PROPOSED] ORDER**

9 GOOD CAUSE APPEARING, it is hereby ordered that the deadline to complete
10 mediation is November 30, 2008.

11 IT IS SO ORDERED.

12 Dated: July ____, 2008

13 Honorable Maxine M. Chesney
14 JUDGE OF THE U.S. DISTRICT COURT
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